

Before the  
Federal Communications Commission  
Washington, DC

City of Dublin, Georgia	)	
Petitioner	)	
	)	File No. PA 00-008
v.	)	
	)	
Georgia Power Company,	)	
Respondent.	)	

**ORDER**

**Adopted: October 30, 2002**

**Released: October 31, 2002**

By the Assistant Chief, Enforcement Bureau:

1. On November 7, 2000, the City of Dublin filed a petition for temporary stay ("Petition") against Georgia Power Company pursuant to the Pole Attachment Act<sup>1</sup> and Section 1.1403 (d) of the Commission's rules.<sup>2</sup> On November 21, 2001, the Cable Services Bureau released an Order, DA 01-2714<sup>3</sup>, holding in abeyance the Petition pending the parties' good faith negotiation of an annual pole attachment rate pursuant to the Commission's rules and *Teleport v. Georgia Power Company*.<sup>4</sup> On October 24, 2002, the parties' submitted a joint notice of settlement and request for dismissal of the Petition and termination of the proceedings. On the basis of the statement contained in the notice, we conclude that there are no longer issues in controversy and therefore, we vacate the stay, dismiss the Petition with prejudice and terminate this proceeding.

2. Accordingly, IT IS ORDERED, pursuant to Sections 0.111, 0.311, 1.1403 (d) and 1.1415 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, 1.1403 (d) and 1.1415, that the referenced stay IS VACATED, the referenced petition IS DISMISSED WITH PREJUDICE and this proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Kathleen F. Costello  
Assistant Chief, Enforcement Bureau

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<sup>1</sup> 47 U.S.C. § 224.

<sup>2</sup> 47 C.F.R. § 1.1403.

<sup>3</sup> *City of Dublin, Georgia v. Georgia Power Company*, DA 01-2714, 16 FCC Rcd 20421 (CSB 2001).

<sup>4</sup> *Teleport v. Georgia Power Company*, DA 01-2653, 16 FCC Rcd 20238 (CSB 2001); *affirmed Teleport v. Georgia Power Company*, FCC 02-270 (released October 8, 2002); *petition for review filed* (11<sup>th</sup> Cir., case no. 02-10222-B).